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*Editorial*

## Improving Global Environmental Governance

Following the 2002 World Summit on Sustainable Development, the issue of global environmental governance is once more highly topical. Two questions that this and earlier summits raise are as follows. How should governance be organized so that sustainable development can become a reality? And given the political realities of today's world, what is the best institutional design that can be achieved? In December 2001, the Amsterdam Institute of International Development sponsored an international workshop on this issue. Some of the papers presented and others subsequently received are bundled in this issue.

Clearly, these papers go far beyond what has been achieved at the World Summit. What did the World Summit in fact achieve? The Summit adopted the Johannesburg Declaration on Sustainable Development (see Annex) and a Plan of Implementation. The Summit highlighted the importance of sustainable development and the role poverty eradication has in this concept. The Summit allowed for civil society participation and its views were incorporated in the preparatory process for the Summit. About 280 sustainable development partnerships between governments, civil society and business were registered at or prior to the Summit. Quantitative commitments were adopted aiming at halving the number of people whose income is less than 1\$ per day, the proportion of people suffering from hunger, the proportion of people without access to safe drinking water and basic sanitation, reducing child (under five) mortality by two thirds and maternal mortality by three quarters by the year 2015. New funding in the area of water and sanitation projects, energy, health and agriculture was announced. In terms of institutional reform, the Summit aimed at enhancing the role of the Commission on Sustainable Development, facilitating and promoting the integration of the environmental, social and economic issues into the regular work programmes of the UN Regional Commissions, and among others the establishment of an inter-agency coordination mechanism on ocean and coastal issues. The Summit clearly goes a step ahead in further institutionalising the negotiated agreements of the past years including the Millennium Development Goals; but clearly falls short of the dramatic expectations of the international community. Against this background, this editorial highlights some of the key environmental challenges and concerns of the first decade of the 21st century.

### THE GAP BETWEEN ENVIRONMENTAL PROBLEMS AND THEIR SOLUTIONS

Is there a problem with current global environmental governance? If one examines the nature and extent of global environmental problems, the picture is not com-

forting. Of the problems identified at the United Nations Conference on Environment and Development in Rio, none have been fully resolved at the global level. The Malmö Ministerial Conference of 2000 concludes to that effect. On the other hand, if one looks at the results achieved in terms of the resources available, the results are impressive. With a small budget, the United Nations Environment Programme has several environmental treaties to its credit and has supported the development of several environmental regimes. Without any clear cut resources set aside for environmental issues, resources have been generated to negotiate a number of environmental treaties and to promote their implementation. One is tempted to conclude that although there is an enormous amount of environmental policymaking and implementation necessary, it is not as if the existing institutional structure is either unable or unwilling to address these issues. The question is then one of improving the design.

#### DESIGN OPTIONS

In order to match environmental institutions with the severity of the problems that need to be dealt with, the issue of institutional design becomes important. The models under discussion appear to fall into three categories. The first aims at establishing a global environmental (and developmental) organisation, high up in the United Nations hierarchy. Such an organisation should be able to influence other UN and Bretton Woods institutions, take environmental initiatives and coordinate environmental measures through out the UN family. Bierman (this issue) argues that there are reasons to support the development of a world environment organisation, and that this would not only be beneficial for the environment, but could, contrary to what developing countries think, also be very much in the interests of the developing countries.

The second alternative is to find ways and means to harmonise existing policies and laws in the environmental area and to develop common dispute settlement and reporting mechanisms. This could ensure that duplication and contradiction is avoided and that the sum total of the impacts of individual policies and treaties is greater than the sum of the impacts of the individual treaties. Oberthür (this issue) argues that there are reasons to support the clustering and integration of different international environmental treaties, but shows that this is a much more complicated and nuanced operation than its proponents realise.

The third alternative seeks to find a system that is perhaps beyond the current United Nations thinking and makes room for not only state actors but also civil society, industry and other international and national players. While this is less well defined as an option in that it is not clear what such a system would look like, what is clear is that existing systems do not provide the necessary tools for the kind of environmental governance that is needed in the 21st century. Von Moltke (this issue) is a staunch proponent of this point.

Jones (this issue) presents OECD reflections on the links between global envi-

ronmental governance and poverty reduction. He focuses on the principles of good governance at governmental, corporate and non-governmental level. He believes that environmental governance will depend primarily on domestic and regional governance institutions, and that policy networking will be the way in which governance will be promoted.

Gupta presents a taxonomy of the different institutional reform options that are available in the literature and examines these options in the light of a historical analysis of governance in the areas of environment and development and from the perspective of the different schools of thought in international relations and law. She argues that depending on the perspective, different reform options are seen as necessary and feasible. She concludes that given the diffuse nature of the concept of sustainable development and the existing state of international politics, efforts to centralise and coordinate UN efforts are unlikely to be successful. Instead it is more likely that there will be efforts to link different institutions and organisations, to promote the progressive development of international law on sustainable development (see Volume 2, issue 2), to possibly cluster some regimes and to ensure that decentralised networking is the key way of ensuring coordination and collaboration between UN bodies.

#### CAN LACK OF POLITICAL WILL BE ADDRESSED THROUGH IMPROVED ARCHITECTURE?

The question that the issue of global governance begs is: is the issue really one of institutional design? Would better design of necessity lead to better environmental governance? The answer would probably be yes if the problem today lies exclusively in institutional design. However, if the problem lies more in the lack of collective political will to deal with the problem of environment and poverty, then institutional design will not of itself lead to a solution to the problem. In other words, if lack of political will is the problem that undermines the effectiveness of existing global environmental governance, then this problem can surely not be addressed by making new architectural designs. The political will could be lacking not just because the issue is unattractive to politicians, but also because of the declining power of the state especially in relation to environmental policy.

On the other hand, to argue that since political will is lacking, no efforts should be made to improve the institutional design would be a self-fulfilling prophecy. For, as regime analysts argue, institutions themselves have a way of making progress as countries become increasingly programmed into thinking and behaving in a particular manner. From such a perspective, there needs to be a constant quest to improve institutions and to value them for as they are. Good institutional design, argue the lawyers, includes measurable obligations and compliance and enforcement regimes. Good institutional design, argue political scientists, includes instruments that can function in the absence of political will. The tax on air travel and international financial exchanges taxes the global rich, marginally affects their choices, but raises huge economic resources that can be used

for the global good. Good institutional design, argue the economists, implies the inclusion of good economic incentives. If the incentives are in place, the problem can be addressed.

#### CAN ENVIRONMENTAL ISSUES BE DEALT WITH WITHOUT REFERENCE TO OTHER ISSUES?

This brings us to another critical issue is: can environmental problems be addressed without reference to the issues of poverty and wealth creation? For many regime analysts, environmental governance should not attempt to solve all issues in one go. Instead, the easy, manageable aspects need to be identified and appropriate technical solutions need to be designed. For, if environmental governance is linked with all other issues, then the other issues would need to be addressed before environmental issues, and this would delay the problem-solving process.

On the other hand, for many in the South, global environmental and developmental problems are so intricately intertwined and so fundamentally related to the ideological premises, that addressing individual benign issues is hardly likely to lead to a structural solution to the global problems facing humanity.

#### CAN ENVIRONMENTAL GOVERNANCE FUNCTION IN THE ABSENCE OF THE US?

In the entire UN process, a key issue is the role of the US. As a major economic and political actor, the US needs to be part of any solution in the area of environmental governance. The reluctance of the US to ratify several environmental treaties and its withdrawal from the Kyoto Protocol is the single most important factor that risks global environmental governance. The fact that President Bush stayed away from the World Summit is also a major signal to the global community. Thus critical to any design is its appeal to the US.

On the other hand, many Europeans worry that waiting for the US government to actively participate would delay problem-solving and would imply a loss of all the gains made thus far in international cooperation and coordination. This has led the EU and the rest of the world to decide to 'go it alone' in the context of the climate change negotiations. But if the US is a major part of the environmental problem, can a solution that bypasses the US yield results? This could be a testing ground for the EU's ability to lead the global community forward.

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